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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 7

ANTHONY J. GASSON,

Case No. 12-23703 (RDD)

Debtor.

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PREMIER CAPITAL, LLC,

Plaintiff,

Adv. Pro. No.: 14-08217-rdd

-against-

ANTHONY J. GASSON,

Defendant.

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ANSWER TO COMPLAINT.¹

Defendant/Debtor, ANTHONY J. GASSON ("GASSON"), ("Defendant"), defendant herein, by his undersigned attorneys, the Law Offices of Gabriel Del Virginia for his answer to the Complaint of the above captioned Plaintiff says, upon information and belief:

RESPONSE TO "JURISDICTION AND VENUE".

1. Defendant admits the allegations set forth in Paragraphs "1-5" of the Complaint.

¹Capitalized terms that are not defined have the meaning that is defined in the complaint in the instant adversary proceeding.

PARTIES

2. Defendant is without sufficient information to admit or deny the allegations as set forth in Paragraph "6" of the Complaint, and holds Plaintiff to its proofs.

3. Defendant admits the allegations in Paragraph "7" of the Complaint.

GENERAL ALLEGATIONS COMMON TO ALL COUNTS

The Bankruptcy Case

4. Defendant admits the allegations in Paragraphs "8-9" of the Complaint.

Gasson's Obligations to Premier

5. Defendant denies sufficient knowledge and information to admit or deny the allegations as set forth in Paragraphs "10-11" of the Complaint, and holds Plaintiff to its proofs. To the extent that the allegations in Paragraphs "10-11" or other allegations refer to documents, the Defendant respectfully invites the Court to refer to the subject documents for the contents thereof.

6. Defendant denies the allegations in Paragraph "12" of the Complaint.

Formation of Soroban, Inc.

7. Defendant denies the allegations as set forth in Paragraphs "13"- "20" of the Complaint.

Operation of Soroban

8. Defendant denies the allegations as set forth in Paragraphs "21"- "22" of the Complaint.

9. Defendant admits the allegations in Paragraph "23" of the Complaint.

10. Defendant denies the allegations set forth in Paragraph "24" of the Complaint.

11. Defendant admits the allegations in Paragraphs "25-27" of the Complaint.

12. Defendant denies the allegations set forth in Paragraphs "28- 29" of the Complaint.

E-Bikes by Revolve

13. Defendant denies the allegations set forth in Paragraph "30" of the Complaint.

14. Defendant denies the allegations set forth in Paragraph "31" of the Complaint.

15. Defendant denies the allegations set forth in Paragraphs "32-37" of the Complaint.

Premier's Investigation of the Debtor and Extension of Premier's Time to Object to the Debtor's Discharge

16. Defendant admits the allegations set forth in Paragraphs "38- 39" of the Complaint.

17. Defendant denies sufficient knowledge and information to admit or deny the allegations as set forth in Paragraph "40" of the Complaint, and holds Plaintiff to its proofs.

18. Defendant admits the allegations set forth in Paragraph "41" of the Complaint.

19. Defendant denies the allegations set forth in Paragraph "42" of the Complaint.

RESPONSE TO "FIRST CAUSE OF ACTION"

20. Defendant repeats and realleges his responses as set forth in the paragraphs hereinabove as if set forth fully herein.

21. Defendant denies the allegations as set forth in Paragraphs "44"-"52" of the Complaint are conclusions of law to which no response is required.

RESPONSE TO "SECOND CAUSE OF ACTION"

22. Defendant repeats and realleges his responses as set forth in the paragraphs hereinabove as if set forth fully herein.

23. Defendant admits the allegations in Paragraph "54" of the Complaint.

24. Defendant denies the allegations as set forth in Paragraphs "55"-"62" of the Complaint.

RESPONSE TO "THIRD CAUSE OF ACTION"

25. Defendant repeats and realleges his responses as set forth in paragraphs hereinabove as if set forth fully herein.

26. Defendant denies sufficient knowledge and information to admit or deny the allegations as set forth in Paragraph "64" of the Complaint, and holds Plaintiff to its proofs. To the extent that the allegations in

Paragraph "64" or other allegations refer to documents, the Defendant respectfully invites the Court to refer to the subject documents for the contents thereof.

27. Defendant denies the allegations as set forth in Paragraphs "65"-"72" of the Complaint.

AFFIRMATIVE DEFENSES

FOR A FIRST AFFIRMATIVE DEFENSE.

28. The Complaint fails to state a claim upon which relief may be granted.

WHEREFORE, the Defendant, respectfully requests that this Court enter a judgment in his favor:

- (a) dismissing, with prejudice, Plaintiff's Complaint in its entirety, as to all claims for relief therein, and
- (b) granting the Defendant, such other and further relief as is appropriate.

Dated: June 16, 2014
New York, New York

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